

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

THOMAS W. PITTS,

Defendant.

Case No. 21-00281-01-CR-W-GAF

**INFORMATION CHARGING
PRIOR SERIOUS DRUG FELONIES**

The United States of America, by and through Teresa A. Moore, the United States Attorney for the Western District of Missouri, pursuant to 21 U.S.C. § 851, files this information charging Defendant, Thomas W. Pitts, with being convicted of two serious drug felonies, as that term is defined in 21 U.S.C. § 802 and, as such, Defendant is subject to enhanced penalties.

Defendant was charged by an indictment in this case on November 30, 2021, with the following counts subject to enhancement under 21 U.S.C. § 851:

- (1) Count One, charging conspiracy to distribute 50 grams or more of actual methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A) and 846;
- (2) Count Two, charging possession with the intent to distribute 50 grams or more of actual methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(A); and
- (3) Counts Three and Four, each charging distribution of five grams or more of actual methamphetamine, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(B).

Defendant has been previously convicted of the following serious drug felonies that meet the requirements of 21 U.S.C. §§ 802(57) and 841(a)(1) and (b)(1)(A)–(B):

- (1) On or about July 2, 2018, Defendant was sentenced following conviction for the offense of delivery of a controlled substance in Pettis County, Missouri, case number 18PT-CR00367-01.
 - a. The aforementioned offense was one involving the manufacturing, distributing, or possessing with intent to manufacture or distribute a controlled substance.
 - b. The aforementioned offense was one for which a maximum term of imprisonment of 10 years or more was prescribed by law.
 - a. Defendant served a term of imprisonment of more than 12 months for the aforementioned offense.
 - c. Defendant's release from imprisonment was within 15 years of the commencement of the instant offense.
- (2) On or about August 6, 2014, Defendant was sentenced following conviction for the offense of distribution of a controlled substance occurring in Pettis County, Missouri, case number 14PT-CR00126-01.
 - d. The aforementioned offense was one involving the manufacturing, distributing, or possessing with intent to manufacture or distribute a controlled substance.
 - e. The aforementioned offense was one for which a maximum term of imprisonment of 10 years or more was prescribed by law.
 - b. Defendant served a term of imprisonment of more than 12 months for the aforementioned offense.
 - f. Defendant's release from imprisonment was within 15 years of the commencement of the instant offense.

The effect of the prior serious drug felony convictions is that, as to Counts One and Two, Defendant is now subject to minimum sentences of 25 years' imprisonment, not less than 10 years' supervised release, and other punishments as set forth in 21 U.S.C. § 841(b)(1)(A). As to Counts Three and Four, Defendant is now subject to minimum sentences of 10 years' imprisonment,

maximum sentences of life imprisonment, not less than eight years' supervised release, and other punishments as set forth in 21 U.S.C. § 841(b)(1)(B).

Respectfully submitted,

TERESA A. MOORE
Acting United States Attorney
Western District of Missouri

By /s/ Byron H. Black
Byron H. Black
Assistant United States Attorney
Minnesota Bar No. 0395274
Charles Evans Whittaker Courthouse
400 East Ninth Street, Room 5510
Kansas City, Missouri 64106

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on December 1, 2021, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Byron H. Black
Byron H. Black
Assistant United States Attorney